

1 ROBERT H. STALEY (SBN # 122101)
2 EPSTEIN, ENGLERT, STALEY & COFFEY
3 425 California Street, 17th Floor
4 San Francisco, CA 94104
5 Tel (415) 398-2200
6 Fax (415) 398-6938

7 Attorneys for ROMAN KOROLEV

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO**

10 ROMAN KOROLEV,

11 Plaintiff,

12 v.

13 HARTFORD CASUALTY INSURANCE
14 COMPANY; WILLIAM JOHN THOMPSON dba
15 SILVER CREEK INSURANCE AGENCY; and
DOES 1 through 50, inclusive,

16 Defendant.

Case No. C-08-3809-SC

STIPULATION AND ORDER TO
REMAND CASE TO STATE COURT DUE
TO LOSS OF DIVERSITY JURISDICTION

17
18
19 **RECITALS**

20 1. WHEREAS Plaintiff Roman Korolev initially filed his complaint for bad faith, breach of
21 contract, breach of the implied covenant of good faith and fair dealing, and declaratory relief on
22 July 14, 2008 in Marin County Superior Court, Action No. CV 083419;

23 2. WHEREAS the action was removed to this Court on August 11, 2008 based on the
24 complete diversity existing at that time;

25 3. WHEREAS Plaintiff filed a First Amended Complaint on February 6, 2009, adding
26 William John Thompson dba Silver Creek Insurance Agency as an additional defendant;

27 4. WHEREAS William John Thompson dba Silver Creek is a citizen of California for
28 purposes of diversity jurisdiction pursuant to 28 U.S.C. section 1332;

1 5. WHEREAS Plaintiff Roman Korolev is a citizen of California for purposes of diversity
2 jurisdiction pursuant to 28 U.S.C. section 1332; and,

3 6. WHEREAS the requirements for diversity jurisdiction pursuant to 28 U.S.C. section 1332
4 no longer exist in this action.

5
6 **STIPULATION**

7 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
8 and among Plaintiff Korolev and Defendants Hartford and Thompson, by and through their
9 respective attorneys of record, that this case shall, subject to approval of this Court, be remanded
10 back to Marin County Superior Court.

11 **SO STIPULATED:**

12
13 DATED: April 24 2009

EPSTEIN, ENGLERT, STALEY & COFFEY,
A Professional Corporation

14
15 By: 

16 Robert H. Staley
17 Attorneys for Plaintiff
ROMAN KOROLEV

18 DATED: April __, 2009

BERGER KAHN
A Law Corporation

19
20 By: _____

21 Ann K. Johnston
22 Ted A. Smith
23 Attorneys for Defendant HARTFORD
24 CASUALTY INSURANCE
25
26
27
28

1 5. WHEREAS Plaintiff Roman Korolev is a citizen of California for purposes of diversity
2 jurisdiction pursuant to 28 U.S.C. section 1332; and,

3 6. WHEREAS the requirements for diversity jurisdiction pursuant to 28 U.S.C. section 1332
4 no longer exist in this action.

5
6 **STIPULATION**

7 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
8 and among Plaintiff Korolev and Defendants Hartford and Thompson, by and through their
9 respective attorneys of record, that this case shall, subject to approval of this Court, be remanded
10 back to Marin County Superior Court.

11 **SO STIPULATED:**

12
13 DATED: April __, 2009

EPSTEIN, ENGLERT, STALEY & COFFEY,
A Professional Corporation

14
15 By: _____

Robert H. Staley
Attorneys for Plaintiff
ROMAN KOROLEV

16
17
18 DATED: April 23, 2009

BERGER KAHN
A Law Corporation

19
20
21 By: _____

Ann K. Johnston
Ted A. Smith
Attorneys for Defendant HARTFORD
CASUALTY INSURANCE

1 DATED: April 24, 2009

WILSON, ELSEY, MOSKOWITZ, EDELMAN &
DICKER LLP

3 By: 

Ralph Robinson
Christina Van Wert
Attorneys for Defendant WILLIAM J.
THOMPSON dba SILVER CREEK
INSURANCE

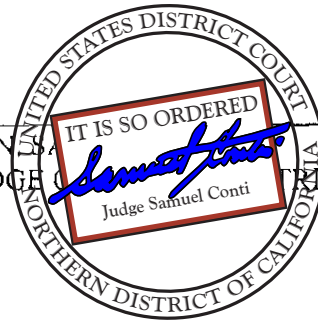
8 **ORDER**

9 Having reviewed and considered the foregoing Stipulation of the parties, and good cause
10 appearing for the same, IT IS HEREBY ORDERED that this case is hereby remanded to the
11 California Superior Court, County of Marin.

13 **SO ORDERED.**

14 DATED: 4/27, 2009.

16 HON. J.
17 JUDGE



17 DISTRICT COURT